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ABSTRACT

This publication responds to a paper by Judith Stecher which strongly urges that a law related/humanities curriculum be included at the elementary school level. Currently most elementary teachers are concentrating their efforts on just two skills--reading and computing. A recent study of elementary schools in the northern counties of California, for example, reveals that 70% of all class time now is devoted to reading and arithmetic. Very little, if any time, is alloted to social studies and the humanities. Research shows, however, that attempts to teach skills in isolation are doomed to failure. Skills are interrelated. To be taught successfully, they must be related to the process of problem solving, conflict resolution, and valuing. Reading, writing, and computing are not subjects which have content or concepts of their own. In order to teach these skills, teachers should use the ideas and concepts from the social sciences, law, music, art, and philosophy. These subjects are now being neglected in the elementary school. The inclusion of a law related/humanities curriculum in the primary school is critical because it serves children at their "prime time" of learning. Given the desirability of infusing law related, humanities centered content into grades K-6, there are several means of persuasion or courses of action open to concerned citizens: 1) inform the public; 2) conduct more staff development and in-service training; and 3) make suitable materials available to teachers. (Author/RM)

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INFUSING LAW-RELATED AND HUMANITIES CONTENT AND SKILLS INTO THE ELEMENTARY LANGUAGE ARTS CURRICULUM:

Revised Edition.

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Revised and condensed version of a response paper prepared for Symposium on Law and the Humanities, The American Bar Association, Youth Education for Citizenship Committee, July, 1978

Infusing Law-Related and Humanities Content and Skills Into the Elementary Language Art Curriculum

by Margaret Stimmann Branson

A response paper prepared for a Symposium of the American Bar Association: LAW AND THE HUMANITIES: IMPLICATIONS FOR ELEMENTARY EDUCATION

Certainly suggestions such as those made by Dr. Judith Stecher and others whose work appears on these pages that law-related studies and the humanities be infused in all of the subjects traditionally taught K-8 are to be applauded. In fact the efforts currently being sparked by the American Bar Association to revitalize the elementary school curriculum could hardly have come at a more propitious time. Americans currently are involved in what may prove to be the most significant debate about the nature and purposes of education at all levels in which any people ever has been engaged. They are asking themselves and each other some very simple but profound questions. Among them are these:

- What knowledge, skills, and attitudes are essential for students who will come to maturity in the last quarter of the 20th century and whose productive years will extend into the 21st century?
- How can we introduce students to our common historical and cultural background without causing them to esteem less their own individual and group heritages?

- How can we as a people continue to celebrate our diversity without losing sight of the shared goals and common values inherent in our democratic society?
- How can curricula be devised which enable students to learn how to identify issues, clarify terms, differentiate facts from values, invoke the processes of reasoning, appreciate the consequences of alternative positions, and make wise decisions?
- How can the experience of schooling help students learn to live their lives more humanely in an increasingly crowded, complex and interdependent world?

WHEN, WHERE, WHY THE CURRENT DEBATE BAGAN

Just when and where the current debate about the nature and purposes of general education was touched off is uncertain. Most people, however, tend to credit Harvard University with being first to embark on a full scale reassessment of its core curricular requirements. Whether or not Harvard was first is unimportant. What is important is the fact that the nation's oldest and perhaps its most prestigious collegiate institution publicly acknowledged the need to re-examine itself. By doing so, it encouraged others to follow suit. For that reason, a brief history of Harvard's continuing efforts at curricular reform may be instructive.

In Harvard's case, Dean of the Faculty, Henry Rosovsky, acted as the gadfly. Dismayed by what appeared to him to be the chaotic condition of undergraduate education, Rosovsky shared his disquiet

with others on the faculty. At a faculty meeting in late 1974, Roskovsky lamented:

> "At the moment to be an educated man or woman doesn't mean anything. It may mean that you've designed your own curriculum; it may mean that you know all about urban this or rural that, BUT THERE IS NO COMMON DENOMINATOR....
> The world has become a Tower of Babel in which we have lost the possibility of common discourse and shared values."[1]

Roskovsky called for a reformation of undergraduate education. The faculty responded by naming some of its members to a "Task Force on Core Curriculum". Professor James Wright was asked to chair that Task Force. It did not take him long to come to the conclusion that Roskovsky did indeed have good cause for alarm. Wright avowed publicly that "An educational nutritionist would say that we no longer are requiring a balanced diet."

Although Harvard's efforts have attracted worldwide attention, it certainly is not the only institution which has become concerned with the "educational diet" being offered students. Many state legislatures have. So, too, have increasing numbers of state and local boards of education, parent-teacher and citizen groups, and professional associations.

Unfortunately, discussions about what is or ought to be the nature and purposes of general education, particularly at the elementary and secondary levels, are not always as enlightened or as enlightening as they should be, given the seriousness of the present situation. Neither is participation in that discussion/debate as widespread as it ought to be, given the far-reaching

consequences which are likely to result. Therefore, efforts such as those initiated by the American Bar Association are terribly important. It is to be commended for providing the fora and some of the leadership essential for healthy, informed discussion/debate among a variety of audiences concerned with the nature and purposes of general education.

WHY THE TIME IS RIPE FOR REASSESSING/REDIRECTING

All of the reasons why the time is ripe for reassessing, refocusing, and redirecting general education cannot be examined here in detail. Some of the most compelling reasons, however, are summarized below in staccato fashion.

- There is widespread dissatisfaction among people generally with the learning achievements of students in the core areas of the curriculum.

- That dissatisfaction has prompted many people to propose very simplistic solutions. On every hand, one hears cries about "getting back to the basics." Why politicians have made "back to basics" a rallying cry is perhaps understandable. Why educators - who ought to know better - often join in the chorus is less comprehensible.

- Despite the veneration currently tendered the "basics", there is very little understanding of what they really are. Popular opinion holds them to be just reading, writing, and computing. And in deference to that opinion, increasing

amounts of time are being devoted to them. One recent study showed that in northern California counties, for example, 70% of all in-class time now is being devoted to just reading and computing.[2]

. Research shows that attempts to teach skills alone or any skill in isolation are doomed to failure. Skills are interrelated. To be taught successfully, they must be related to the processes of problem-solving, conflict resolution, and valuing.

. Reading, writing and computing are not "subjects" or "disciplines" which have content or concepts of their own. In order to teach those skills, teachers must "borrow" or depend upon the ideas and concepts generated by other areas of the curriculum. One must read about something; one must have something about which to write; one must compute for a purpose. From whence does substance - content or concepts - come? It comes, of course, from those studies which we label history, the social sciences, literature, law, music, art, philosophy, mathematics, and the sciences. Sadly, those are precisely the subjects which now are being neglected in the elementary schools.

. Both experience and research remind us that skills are taught most successfully when they are natural outgrowths of attempts to answer the really consequential questions which concern each of us as human beings. Each of us must ponder for our-

selves questions such as these:

- Who am I?
- How should human beings behave toward one another?
- Under what conditions should I as a member of a family, a citizen of a school, city, nation, or the global community be loyal to and proud of my group and when should I be critical?
- What is the good life, and how can I live such a life?

Those questions and others similar to them are precisely the kinds of questions with which the law and the humanities are concerned. It stands to reason, therefore, that law-related studies and the humanities ought to be at the very heart of the elementary school curriculum.

WHY INCLUSION OF LAW-RELATED/HUMANITIES CURRICULUM IS CRITICALLY IMPORTANT AT THE ELEMENTARY SCHOOL LEVEL

What children learn and how they learn during their early years is probably more critical than what or how they learn subsequently. Indeed, one might say that the most unique feature of the elementary school is that it serves children at what is probably their "prime time." There is an abundance of research which corroborates the statements just made. Here - again in staccato fashion - are just a few of the more important conclusions reached by researchers:

- "In early childhood children begin to learn what styles of interpersonal interactions are rewarded by adults and by peers. Thus, siblings are urged to share with each other, and mothers and nursery school teachers set up norms for

behavior by saying, 'Wait your turn,' and, 'That's not fair.' Experiences of this kind may lay a foundation not only for the development of personal morality (Piaget, 1965; Kohlberg, 1964) but for normative expectations of a political system."[3]

- "There is evidence that beginning about the age of seven, the child enters into a period of rapid perspective and role-taking. Middle childhood (before the onset of puberty) might even be called a critical period in attitudinal development since after this there is a decline in the malleability of attitudes." [4]

- "On the whole, children, particularly those between approximately 8 and 12 years of age, seem relatively open to new approaches to and information about foreign people; by the age of 14 they are less open."[5]

- "Each individual builds up a repertoire of ways of obtaining satisfaction of his needs in the social context. Those that are perceived to have been successful are retained, and those that have not produced success are not. By the time an individual approaches his early adult years, these modes of relating to the world are largely fixed."[6]

Research findings such as those just cited are indeed sobering. They remind us that the elementary school years are too important to be squandered on mean pursuits or the minutiae of learning. They are indeed the very years during which the most critical questions of human existence must be addressed and during which norms for behavior are examined.

NEXT STEPS

Given the desirability of infusing law-related, humanities-centered content in the elementary school curriculum, what means of persuasion or courses of action are open to concerned citizens? There are, of course, a number of possibilities. Instead of relying on just one or two there ought to be simultaneous movement on a number of fronts. Each of those possible fronts needs more careful and complete exploration than can be afforded here. But

for purposes of stimulating thought, the following suggestions will be made.

The first and most critical effort that needs to be made is that of taking the case for law-related/humanities-centered curricula directly to the many publics concerned with education. Several years ago, a little book appeared with the intriguing title: How to Talk Back to Your Television Set. That title might well suggest the advisability of beginning at once to:

- "talk back" to the propounders of simplistic slogans and programs.
- set the record straight, making it clear that there is no one sure, easy, quick way to educate all of the children of all of the people.
- disseminate broadly findings from research relevant to the teaching of skills and sources of content, being careful to see that the language used is jargon-free and comprehensible.
- insist on a balanced curriculum.
- remind people of the many statements of goals for education in a democratic society that have been made over the years. Those statements almost without exception constitute ringing endorsements of humane purposes.

A second effort might be made to increase opportunities for staff development and in-service training. While it is true that a number of law-related projects have been offering in-service training for several years, the bulk of the teachers in this nation have not as yet been reached. Furthermore, it is probably safe to say that thus far, only the most competent and open teachers have

been reached. Such teachers generally are the ones who seek out opportunities for increasing their competence. Those who most need assistance generally do not.

Little has been done as yet in the area of staff development in the humanities for elementary teachers. More needs to be done to help teachers learn to use music, poetry, drama, and art to teach listening, speaking, reading, writing and to explore law-related concepts.

A third effort which is essential is to increase the variety and availability of high quality, immediately useable materials. Teachers in the elementary schools are long on exhortations to incorporate law-related studies and the humanities in their day-to-day work with students, but they are short on specific unit/lesson plans, imaginative textbooks, filmstrips, films, audiotapes, and trade books. Already overburdened, elementary teachers cannot and should not be expected to produce their own materials.

To increase the availability of suitable materials, educators ought to apprise publishers, particularly those who supply the major basal reading series, of their needs. They should encourage publishers to expand the law-related, humanities-centered content of basal readers. Further, educators should indicate the need for questions in the texts at the upper ends of the cognitive taxonomies and for suggestions for pupil activities which will further affective objectives.

Finally, they should insist upon materials which have global, humanity-wide orientations.

NOTES

1. "Harvard Renews Drive For Major Overhaul in Liberal Arts," New York Times, 10 November 1976, sec. B4 L.

2. An unpublished study conducted by the Sacramento (California) Area Council for the Social Studies, 1977-78. Reported by Dr. Damon Nalty, San Jose State University.

3. Schwartz, Sandra Kenyon, "Preschoolers and Politics" in New Direction for Political Socialization, edited by David C. Schwartz, New York: Free Press, 1975, pp. 230-231.

4. Buergenthal, Thomas and Judith V. Torney, International Human Rights and International Education, published by the U.S. National Commission for UNESCO, Department of State, Washington, D.C., 1976, p. 106.

5. Lambert, W. E. and O. Klineberg, Children's Views of Foreign People, New York: Appleton, Century, Crofts, 1967.

6. Renshon, Stanley Allen, Psychological Needs and Political Behavior: A Theory of Personality and Political Efficacy, New York: The Free Press, Collier Macmillan Publishers, 1974, p. 72.